

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

WILLIAM E. MURPHY,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 1:11-0052
)	Judge Trauger
MARSHALL COUNTY BOARD OF ED.,)	Magistrate Judge Griffin
)	
Defendant.)	

ORDER

On July 10, 2012, the Magistrate Judge issued a Report and Recommendation (Docket No. 29), to which the *pro se* plaintiff has filed Objections (Docket No. 32). The Report and Recommendation recommends that the defendant's Motion For Summary Judgment be granted and that this case be dismissed.

When a magistrate judge issues a report and recommendation regarding a dispositive pretrial matter, the district court must review *de novo* any portion of the report and recommendation to which a specific objection is made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1)(C); *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001); *Massey v. City of Ferndale*, 7 F.3d 506, 510 (6th Cir. 1993). Objections must be specific; an objection to the report in general is not sufficient and will result in waiver of further review. *See Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995)

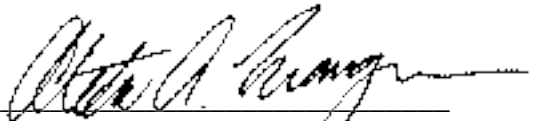
The Magistrate Judge recommended that summary judgment be granted to the defendant both because the Complaint was not filed within 90 days of the plaintiff's receipt of his right-to-sue letter from the Equal Employment Opportunity Commission (EEOC) and because, even if

the Complaint were timely filed, the case does not survive summary judgment on the merits. The plaintiff never responded to the defendant's Motion For Summary Judgment, and his objections rest upon the allegations of his EEOC charge, which are not sufficient. As the Magistrate Judge set out in the Report and Recommendation: "When a motion for summary judgment is made and properly supported under Rule 56 of the FEDERAL RULES OF CIVIL PROCEDURE, the non-moving party may not merely rest on conclusory allegations contained in the Complaint, but must respond with affirmative evidence supporting his claims and establishing existence of a genuine issue of material fact." (citations omitted) (Docket No. 29 at 9) The plaintiff has presented absolutely no evidence in response to the summary judgment motions, and his objections rely on his EEOC charge and newspaper articles.

The court has reviewed the plaintiff's objections to the Report and Recommendation *de novo* and finds they have no merit. The objections, therefore, are **OVERRULED**, and the Report and Recommendation is **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that the defendant's Motion For Summary Judgment (Docket No. 18) is **GRANTED**, and this case is **DISMISSED WITH PREJUDICE**.

It is so **ORDERED**.

Enter this 24th day of August 2012.



ALET A. TRAUGER
U.S. District Judge